IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 4228 of 2005

Between:

Ravui Bapamma, W/o (Late) Venkateshwarlu,
r/o Kusumur Village, V. Satram Mandal, Nellore District.

..... PETITIONER

AND

1 The Superintendent of Police, Nellore.
2 The Sub Divisional Police Officer, Nellore Rural, Nellore.
3 The Station House Officer, V. Satram PS., V. Satram Mandal,
Nellore District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to pass an order or direction or writ under Article 226 of the Constitution of India, more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents in taking action against the accused in Cr.No.65 of 2004 of V. Satram P.S., Nellore District as illegal, arbitrary, bad and against the principles of natural justice and consequently direct the respondents to complete the investigation in Cr.No. 65 of 2004 and take necessary action against the accused therein in accordance with law and to provide protection to me and my standing crops in the lands and pass such other and further order or orders, as this Hon'ble Court may deem fit and proper in the circumstances of the case in the interest of justice.

Counsel for the Petitioner: MR.C.DAMODHAR REDDY

Counsel for the Respondents1 to 3: G.P. FOR HOME

The Court at the stage of admission made the following:

ORAL ORDER:

Heard both sides.

2. The grievance of the petitioner is that the police are not giving protection to protect the standing crop in the land belongs to her.

3. Earlier the petitioner filed a writ petition in W.P.No.15379 of 2003 and this Court disposed of the same with a direction to the respondents to conduct the survey strictly in accordance with the provisions of A.P.Survey and Boundaries Act, 1926.

4. From the above, it is clear that so far the identification of the land itself is in a fluid state. In such a case, it is difficult to jump to any conclusion.

5. However, as and when a complaint is lodged by any person like the petitioner, the same has to be necessarily attended to and necessary enquiry/investigation also has to be launched. Basing on the veracity of the statement made by the petitioner and the ground realities, if the respondents are satisfied that any third parties are

interfering with the rights of the petitioner, necessary protection can be and shall be given to the petitioner.

6. Accordingly, the writ petition is disposed of, at the stage of admission. No costs.

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D.S.R. VARMA, J

11TH MARCH 2005

ISN

ASSISTANT REGISTRAR

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SECTION OFFICER

To

1 The Superintendent of Police, Nellore.
2 The Sub Divisional Police Officer, Nellore Rural, Nellore.
3 The Station House Officer, V. Satram PS., V. Satram Mandal, Nellore District.

4. Two CCs to G.P. for Home, High Court Buildings, Hyderabad (OUT).

5. Two 2 CD copies

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

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W.P.No.4228 of 2005

11TH MARCH 2005